

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

GARY ROSS FLEMING

Debtor(s)
 Ronda J. Winnecour
 Movant
 vs.
 GARY ROSS FLEMING

Case No.:14-70764 JAD

Chapter 13

Document No.:

**CHAPTER 13 TRUSTEE'S MOTION FOR COMPLETION OF CASE AND APPROVAL OF TRUSTEE'S
REPORT OF RECEIPTS AND DISBURSEMENTS (NO DISCHARGE)**

Ronda J. Winnecour, Chapter 13 Trustee, respectfully represents the following:

1. The plan was confirmed in this Chapter 13 case, and the undersigned served as Trustee.
2. The Trustee has examined the terms of the confirmed Chapter 13 plan, the history of the payments to creditors and the claims filed in this Chapter 13 Case. The Trustee now recommends that the Court treat this Chapter 13 case as complete.
3. Attached hereto for approval, please find the **Trustee's Report of Receipts and Disbursements** in this case.
4. As a result of a prior bankruptcy discharge received by the debtor(s) within the statutory time period prior to the commencement of this case, the Trustee avers that the debtor(s) is (are) not entitled to a discharge in this case.
5. After all distribution checks have been negotiated or funds deposited into the Court's registry, the Trustee's office will file **UST FORM 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account** (the "Final Report"). Upon submission of the Final Report, the Trustee asks the Court to discharge her from her duties in this case and close this case.

WHEREFORE, the Trustee respectfully requests that the Court,

- (a) Approve the Trustee's Report of Receipts and Disbursements,
- (b) Revest property of the estate with the debtor(s),
- (c) Terminate wage attachments, and
- (d) Enter a final decree and close this case.

February 24, 2017

/s/ Ronda J. Winnecour

RONDA J WINNECOUR PA ID #30399
 CHAPTER 13 TRUSTEE WD PA
 600 GRANT STREET
 SUITE 3250 US STEEL TWR
 PITTSBURGH, PA 15219
 (412) 471-5566
 cmevf@chapter13trusteewdpa.com

TRUSTEE'S REPORT OF RECEIPTS AND DISBURSEMENTS

Ronda J. Winnecour, Trustee for the above case, submits the following report pursuant to 11 USC 1302 (b) (1).

1. The case was filed on 10/30/2014 and confirmed on 4/21/15 . The case was subsequently Completed After Confirmation

2. The Trustee made the following disbursements.

Total Receipts		49,515.88
Less Refunds to Debtor	3,381.05	
TOTAL AMOUNT OF PLAN FUND		46,134.83
Administrative Fees		
Filing Fee	0.00	
Notice Fee	0.00	
Attorney Fee	3,600.00	
Trustee Fee	2,104.76	
Court Ordered Automotive Insurance	0.00	
TOTAL ADMINISTRATIVE FEES		5,704.76

Creditor Type	Creditor Name	Claim Amount	Prin Paid	Int Paid	Total Paid
Secured					
	BANK OF AMERICA(*) Acct: XXXXXXXXXXXXXXXXXXXXXXX PA	0.00	0.00	0.00	0.00
	LVNV FUNDING LLC, ASSIGNEE Acct: XXXXXXXXX2011	0.00	0.00	0.00	0.00
	BANK OF NEW YORK MELLON - TRUSTE Acct: 8646	10,373.89	10,373.89	772.45	11,146.34
	FANNIE MAE Acct: 7842	4,689.44	4,689.44	2,091.85	6,781.29
	FANNIE MAE Acct: 7842	0.00	0.00	0.00	0.00
					17,927.63
Priority					
	MICHAEL N VAPORIS ESQ Acct:	3,600.00	3,600.00	0.00	0.00
	GARY ROSS FLEMING Acct:	0.00	0.00	0.00	0.00
	GARY ROSS FLEMING Acct:	459.23	459.23	0.00	0.00
	GARY ROSS FLEMING Acct:	2,921.82	2,921.82	0.00	0.00
	FANNIE MAE Acct: 7842	1,516.98	1,516.98	0.00	1,516.98
	BANK OF NEW YORK MELLON - TRUSTE Acct: 8646	1,150.00	1,150.00	0.00	1,150.00
	CLERK, U S BANKRUPTCY COURT Acct: XXXXXXXXXXXXXXXXXXXXREE	14,789.63	14,789.63	289.88	15,079.51
	CLERK, U S BANKRUPTCY COURT Acct: XXXXXXXXXXXXXXXXXXXXXXXCROW	4,755.95	4,755.95	0.00	4,755.95
					22,502.44
Unsecured					
	S & T BANK(*) Acct: XXXXXX7108	0.00	0.00	0.00	0.00
	ANDREW F GORNALL ESQ	0.00	0.00	0.00	0.00

Creditor Type	Creditor Name	Claim Amount	Prin Paid	Int Paid	Total Paid
Unsecured					
Acct:		* * * N O N E * * *			
TOTAL PAID TO CREDITORS					40,430.07
TOTAL					
CLAIMED	22,212.56				
PRIORITY	15,063.33				
SECURED	0.00				

Date: 02/24/2017

/s/ Ronda J. Winnecour

RONDA J WINNECOUR PA ID #30399
CHAPTER 13 TRUSTEE WD PA
600 GRANT STREET
SUITE 3250 US STEEL TWR
PITTSBURGH, PA 15219
(412) 471-5566
cmecf@chapter13trusteewdpa.com

IN RE:

GARY ROSS FLEMING

Debtor(s)

Ronda J. Winnecour

Movant

vs.

No Respondents.

Case No.:14-70764 JAD

Chapter 13

Document No.:

ORDER OF COURT

AND NOW, this _____ day of _____, 20____, upon consideration of the **Chapter 13 Trustee's Motion for Completion of Case and Approval of Trustee's Report of Receipts and Disbursements (No Discharge)**, and following notice to the creditors and an opportunity to be heard, it is hereby **ORDERED, ADJUDGED and DECREED**, as follows:

- (1). This Court finds that the Chapter 13 plan, as supplemented by any and all amendments, has been fully and finally completed.
- (2). The debtor(s) shall not receive a discharge in this case, due to the debtor(s)' receipt of a prior discharge within the statutory time period prior to the commencement of this case.
- (3). To the extent not previously terminated, the wage attachment(s) issued in this case is/are immediately terminated and the debtor(s) shall serve a copy of this order on any affected employer(s).
- (4). Property of the estate hereby reverts in the debtor(s). This revestment of property is free and clear of any and all claims or interests except as otherwise treated in the plan or in the Order confirming the Plan. All restrictions of the debtor(s)' use of the property of the estate is hereby terminated.
- (5). Each and every creditor is bound by the provisions of the completed plan, whether or not the claim of such creditor is provided for in the Plan, and whether or not such creditor has objected to, has accepted or rejected the plan. All mortgage and other secured debts provided for by the Plan are hereby found to be cured of any and all monetary defaults as of the payment date for which the Trustee last made a distribution, and no additional interest, late fees or penalties may be assessed for time periods or payments due prior to that date.
- (6). After all distribution checks have been negotiated or funds deposited into the Court's registry, the Trustee shall file UST Form 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account (the "Final Report"). Upon submission of the Final Report, the Trustee is discharged from her duties in this case and the case will be closed.

BY THE COURT:

U.S. BANKRUPTCY JUDGE

In re:
Gary Ross Fleming
Debtor

Case No. 14-70764-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: msch
Form ID: pdf900

Page 1 of 2
Total Noticed: 9

Date Rcvd: Feb 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 01, 2017.

db +Gary Ross Fleming, 1108 Fleming Road, Indiana, PA 15701-7856
cr +BANK OF AMERICA, N.A., 2380 Performance Dr., Richardson, TX 75082-4333
13947059 Bank of America, N.A., Home Mortgage Dept., PO Box 5170, Simi Valley, CA 93062-5170
13947060 Green Tree Servicing LLC, 345 St. Peter St., 1100 Landmark Towers, St. Paul, MN 55102
13953553 +KML Law Group, Jennifer Frechie, Esquire, Suite 5000 - BNY Indepence Ctr., 701 Market St., Philadelphia, PA 19106-1538
13953555 +S&T Bank, PO Box 190, Indiana, PA 15701-0190
14012447 +The Bank of New York Mellon, Et Al, Bank of America, N.A., 7105 Corporate Drive,, Plano, TX 75024-4100

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: bankruptcy.bnc@ditech.com Feb 28 2017 02:48:43 Ditech Financial LLC,
PO Box 0049, Palatine, IL 60055-0001
14008363 E-mail/Text: bankruptcy.bnc@ditech.com Feb 28 2017 02:48:43 Green Tree Servicing LLC,
PO BOX 6154, Rapid City, SD 57709-6154, Telephone # 888-298-7785

TOTAL: 2

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr GREEN TREE SERVICING LLC
cr Green Tree Servicing LLC, as authorized servicer f
cr THE BANK OF NEW F/K/A THE BANK OF NEW YORK SUCCESS
cr THE BANK OF NEW YORK MELLON Et al.
cr The Bank of New F/K/A The Bank of New York et. al.
13953550* Bank of America, N.A., Home Mortgage Dept., PO Box 5170, Simi Valley, CA 93062-5170
13953551* Bank of America, N.A., Home Mortgage Dept., PO Box 5170, Simi Valley, CA 93062-5170
13953552* Green Tree Servicing LLC, 345 St. Peter St., 1100 Landmark Towers, St. Paul, MN 55102
13953554 ##+LVNV Funding LLC, c/o Edwin A Abrahamsen & Assoc., 120 North Keyser Ave., Scranton, PA 18504-9701

TOTALS: 5, * 3, ## 1

Addresses marked '' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 01, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 24, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Green Tree Servicing LLC, as authorized servicer for Fannie Mae, as owner and holder of account/contract agornall@goldbecklaw.com, bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com
Andrew F Gornall on behalf of Creditor GREEN TREE SERVICING LLC agornall@goldbecklaw.com, bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor GREEN TREE SERVICING LLC bkgroup@kmlawgroup.com
James A. Prostko on behalf of Creditor THE BANK OF NEW YORK MELLON Et al. pawb@fedphe.com, james.prostko@phelanhallinan.com
Joseph P. Schalk on behalf of Creditor The Bank of New F/K/A The Bank of New York et. al. pawb@fedphe.com, joseph.schalk@phelanhallinan.com
Joseph P. Schalk on behalf of Creditor THE BANK OF NEW YORK MELLON Et al. pawb@fedphe.com, joseph.schalk@phelanhallinan.com
Joshua I. Goldman on behalf of Creditor GREEN TREE SERVICING LLC bkgroup@kmlawgroup.com
Mario J. Hanyon on behalf of Creditor THE BANK OF NEW F/K/A THE BANK OF NEW YORK SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A. SUCCESSOR BY MERGER TO BANK ONE, N.A., AS INDENTURE TRUSTEE FOR CWABS MASTER TRUST, REVOLVING HOME E pawb@fedphe.com

District/off: 0315-7

User: msch
Form ID: pdf900

Page 2 of 2
Total Noticed: 9

Date Rcvd: Feb 27, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Martin C. Bryce, Jr. on behalf of Defendant Bank of America, NA Bryce@ballardspahr.com
Martin C. Bryce, Jr. on behalf of Creditor BANK OF AMERICA, N.A. Bryce@ballardspahr.com
Michael N. Vaporis on behalf of Debtor Gary Ross Fleming mvaporis@comcast.net,
jlcerovich@comcast.net
Michael N. Vaporis on behalf of Plaintiff Gary Ross Fleming mvaporis@comcast.net,
jlcerovich@comcast.net
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor GREEN TREE SERVICING LLC pashcroft@bernssteinlaw.com,
ckutch@ecf.courtdrive.com;pashcroft@ecf.courtdrive.com;pghecf@bernssteinlaw.com;cabbott@ecf.courtd
rive.com
Ronda J. Winnecour cmeccf@chapter13trusteewdpa.com

TOTAL: 15